REMARKS/ARGUMENTS

Reconsideration of the application is requested.

Claims 1-10 remain in the application. Claim 1 has been amended.

In item 5 on page 2 of the above-identified Office action, claims 1, 3, and 5-7 have been rejected as being anticipated by Rogers et al. (U.S. Patent No. 5,398,961) under 35 U.S.C. § 102.

The rejection has been noted and claim 1 has been amended in an effort to even more clearly define the invention of the instant application. Support for the changes is found on page 2, line 32 to page 3, line 1 of the specification.

Before discussing the prior art in detail, it is believed that a brief review of the invention as claimed, would be helpful.

Claim 1 calls for, inter alia:

- an airbag module (B);
- at least one covering device (K) having a closing position and an open position;
- an airbag (S) configured to expand by gas inflation, the airbag (S) being accommodated behind the at least one

covering device (K) when the at least one covering device is in the closing position;

- a mechanism (M) configured to pull the at least one covering device from the closing position to the open position in order to allow an expansion of the airbag;
- the mechanism (M) including a first mechanism component (M1), which is coupled firmly to the airbag module (B), and a second mechanism component (M2), which is coupled firmly to the covering device (K);
- the airbag module (B) forming, together with the first mechanism component (M1), a unit ready for installation; and
- the second mechanism component being configured to be installed separately from the first mechanism component.

The patent to Rogers et al. discloses:

- an airbag module 20;
- at least one covering device 22 having a closing position and an open position;
- an airbag 17 configured to expand by gas inflation, the airbag 17 being accommodated behind the at least one covering device 22 when the at least one covering device is in the closing position;
- a mechanism including a first mechanism component 28, which is coupled firmly to the airbag module, and a second

mechanism component 30, which is coupled firmly to the covering device 22; and

- the airbag module 20 forming, together with the first mechanism component 28 and the second mechanism component 30, a unit ready for installation.

Rogers et al. teach that upon deployment of the air bag, the straps 28 and 30 (mechanism components) break and no longer hold the cover 22 in place. A separate flexible tether 58 between the cover 22 and the reaction canister 18 retains the cover 22 upon deployment of the air bag and prevents the cover 22 from flying out into the compartment 10 and injuring a passenger in the vehicle. The tether 58 is located on the top side of the cover 22 and is long enough to allow the cover 22 upon air bag deployment to rotate and swing upwardly from the instrument panel 14 out of the way of the inflating air bag (col. 5, lines 4-22). Thus, the cover 22 of Rogers et al. is simply pushed open by the force that the expanding airbag applies on the cover 22.

In contrast to the airbag apparatus of Rogers et al., the airbag apparatus of the present invention does not use the force of the expanding airbag to push open the cover. Instead, the present invention uses mechanism components to pull the cover into the open position so that the airbag can freely expand without having to push open the cover. In other

words, Rogers et al. do not show that the mechanism, which includes the first and second mechanism components, is configured to pull the at least one covering device from the closing position to the open position in order to allow an expansion of the airbag, as recited in amended claim 1 of the instant application.

Further, Rogers et al. teach that the airbag module 22, the mechanism components (straps 28, 30) and the cover 22 together form a unit ready for installation. More specifically, Rogers et al. teach that, as the air bag module 20 is inserted into the opening 24 of the instrument panel, the cover 22 comes into a fully seated position just slightly before the reaction canister 18 of the air bag module 20 reaches a fully mounting or seated position such that the straps 28 and 30 are pulled into tension as the reaction canister 18 is seated (col. 4, lines 52-61). In other words, both mechanism components (straps 28, 30) of Rogers et al. must be installed together with the reaction canister 18. Thus, Rogers et al. do not disclose a second mechanism component that is configured to be installed separately from the first mechanism component, as recited in amended claim 1 of the instant application.

In summary, the patent to Rogers et al. does not show or suggest the limitation of a mechanism including a first and a second mechanism component configured to pull the at least one

covering device from the closing position to the open position in order to allow an expansion of the airbag, and also does not show or suggest the limitation of the second mechanism component being configured to be installed separately from the first mechanism component, as defined in claim 1. Claim 1 is therefore not anticipated by the disclosure of the patent to Rogers et al.

In item 7 on page 3 of the Office action, claims 2, 8 and 10 are rejected as being unpatentable over Rogers et al. under 35 U.S.C. § 103.

Rogers et al. describe a prior art airbag apparatus that uses the force of the expanding airbag in order to push open the airbag cover (col. 5, lines 4-22). Such a prior art airbag apparatus requires that the airbag generate a sufficiently high pressure to break the straps 28 and 30. However, an airbag that generates a high pressure may deploy with such a force that the passenger is injured. Unlike Rogers et al., the present invention does not use the force of the exploding airbag to push open the airbag cover. Instead, the present invention uses a mechanism to pull the airbag cover open. This has the advantage that the airbag can deploy with a lower pressure which reduces the risk of injuring the passenger (see page 2, lines 2-6 of the specification).

It is an object of the present invention to simplify the installation of an airbag apparatus having a mechanism to pull the airbag cover open. This object is achieved by providing an airbag apparatus as defined in claim 1 and a corresponding method as defined in claim 8 which allow mounting the actual airbag module separately from the opening mechanism (see page 2, lines 30-34 of the specification).

The patent to Rogers et al. gives no motivation to use mechanism components for retracting an airbag cover much less a motivation to provide one of the mechanism components, which is fixed to the airbag cover, such that it can be installed separate from a mechanism component fixed to the airbag module.

In summary, the patent to Rogers et al. does not show or suggest the limitation of a mechanism including a first and a second mechanism component configured to pull the at least one covering device from the closing position to the open position in order to allow an expansion of the airbag. The patent to Rogers et al. also does not show or suggest the limitation of the second mechanism component being configured to be installed separately from the first mechanism component or, in terms of the method, the first mechanism component being brought into an active position with respect to the second mechanism component when installing the airbag apparatus.

It is accordingly believed to be clear that none of the references, whether taken alone or in any combination, either show or suggest the features of claims 1 or 8. Claims 1 and 8 are, therefore, believed to be patentable over the art and since all of the dependent claims are ultimately dependent on claim 1 or 8, they are believed to be patentable as well.

In view of the foregoing, reconsideration and allowance of claims 1-10 are solicited.

Please charge any fees which might be due with respect to Sections 1.16 and 1.17 to the Deposit Account of Lerner and Greenberg, P.A., No. 12-1099.

Respectfully submitted,

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July 18, 2003

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